

TEXT OF PROPOSED REGULATIONS

In the following, underline indicates additional added text, and ~~strike through~~ indicates additional deleted text.

3054. Religious Diet Program.

Subsection 3054(a) is amended to read:

(a) Each institution shall make reasonable efforts, as required by law, to accommodate those inmates who have been determined, pursuant to CCR, Title 15, subsection 3054.34(b)(1), to require a religious diet.

(b) Each institution shall provide ongoing religious awareness training for custody and food service staff, and anyone involved in the Religious Diet Program.

Subsection 3054(c) is amended to read:

(c) Within an institution, ~~Religious~~ meals shall not be restricted from inmates, based on their classification or housing placement. Inmates who are ~~Transferred~~ ring inmates shall have the ability to continue participating in their current Religious Diet Program at the receiving institution, barring medical needs or other extraordinary circumstances.

(d) Medical diets shall take precedence over religious diets.

Subsection 3054(e) is amended and new subsection 3054(e)(3) is adopted to read:

(e) There shall be at least ~~two~~ three distinct religious diet options:

(1) Vegetarian.

(2) Jewish kosher.

(3) Halal meat alternate

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 383b, 5009 and 5054, Penal Code.

Section 3054.1 title and text are amended to read:

3054.1. Religious Vegetarian Diet.

~~Religious~~ Vegetarian meals shall be available at all institutions. Inmates with determined religious, personal or ethical dietary needs and showing a CDCR Form 3030-B (09/05), Religious Diet Card, which is incorporated by reference, shall be provided with an approved vegetarian protein alternative(s), often from that same days' scheduled meal.

Note: Authority cited: Sections 5058, Penal Code. Reference: Sections 383b, 5009 and 5054, Penal Code.

3054.2. Jewish Kosher Diet.

(a) Jewish kosher meals shall be available at designated institutions. Jewish inmates may participate in the program, as determined by a Jewish Chaplain.

(b) Jewish inmates with unmet kosher dietary needs may, when classification is appropriate, be considered for transfer to another institution that can provide the Jewish inmate with a kosher diet.

(c) Jewish inmates shall not give away, trade, or sell a sack meal. Doing so may result in a compliance violation of the Religious Diet Program Agreement.

(d) All institutions will adhere to standardized departmental Jewish kosher diet program menus and approved procedures for purchasing, preparing, and serving kosher meals.

(e) Observance of Passover constitutes a single religious event, requiring kosher for Passover foods to be provided during the eight days of observance.

(f) Each institution shall arrange for ongoing and appropriate training for all inmate workers, and custody and food service employees involved in the supervising, ordering, preparation, and serving of kosher meals.

(g) The Jewish kosher diet program shall be administered in accordance with the provisions of this Article. A Jewish Chaplain shall:

(1) Determine inmate entry into the Jewish kosher diet program, oversee the program, and determine Jewish inmate compliance violations.

(2) Review each institution's Jewish kosher diet program annually; ~~and~~ provide results of the review to the Correctional Food Manager (CFM).

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 383b, 5009 and 5054, Penal Code.

Existing section 3054.3 is relocated and renumbered 3054.4

New section 3054.3 is adopted to read:

3054.3. Halal Meat Alternate Program

(a) Halal meat alternate shall be available at all institutions. Muslim inmates and other inmates with a religious dietary need may participate in the program, as determined by a Muslim Chaplain.

(b) All institutions will adhere to standardized departmental halal meat alternates, and approved procedures for procuring and serving halal meats.

(c) Each institution shall arrange for ongoing and appropriate training for all inmate workers, custody, and food service employees involved in the supervising, ordering, and serving of halal meats.

(d) The halal meat alternate program shall be administered in accordance with the provisions of this Article. A Muslim Chaplain shall:

(1) Determine inmate entry into the halal meat alternate program, oversee the program, and determine inmate compliance violations.

(2) Review each institution's halal meat alternate program annually and provide results of the review to the Correctional Food Manager (CFM).

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 383b, 383c, 5009 and 5054, Penal Code.

Existing section 3054.3 is renumbered 3054.4 with subsections (a), (b)(1) and (b)(3) amended to read:

3054.34. Participation in a Religious Diet Program.

(a) Any inmate who claims to require a religious diet shall be responsible for completing a CDCR Form 3030 (~~09/05~~ Rev. 11/08), Religious Diet Request, which is incorporated by reference, and submitting it to the appropriate institution's Chaplain. No more than 15 calendar days shall pass from the day the Chaplain receives the completed CDCR Form 3030, Religious Diet Request, which results in a determination of program eligibility, to the day an accepted inmate begins receiving the religious meals requested.

(b) The Chaplain shall:

(1) Interview the inmate to explain the ~~two~~ three religious diet options (including what the meals consist of) and determine the inmate's religious diet program eligibility.

(2) When religious diet program eligibility is determined, explain the department's Religious Diet Program Agreement.

(3) When applicable, have the inmate sign the CDCR Form 3030-A (~~09/05~~ Rev. 11/08), Religious Diet Program Agreement, which is incorporated by reference, the CDCR Form 3030, Religious Diet Request, and the CDCR Form 3030-D (~~09/05~~ Rev. 11/08), Religious Diet Program Cancellation Request, which is incorporated by reference. Document an inmate's refusal to sign any religious diet departmental forms.

(4) Complete and distribute the CDCR Form 3030, Religious Diet Request and/or the CDCR Form 3030-A, Religious Diet Program Agreement, within two working days.

(5) Notify the inmate of the decision in writing by copy of their CDCR Form 3030, Religious Diet Request.

(6) Enter pertinent information for each inmate approved to participate in a religious diet program onto a religious diet participant list within 24 hours of approval. Maintain, update the list every 30 days, and provide the CFM with a copy of the list of those inmates who have been determined eligible to receive a religious diet, and which diet they will receive.

(7) Regularly monitor the religious diet lists with Food Service staff to ensure that all inmate religious diet program participants are served their religious dietary meals with minimal delay.

(8) Coordinate with the CFM to determine which dining area will provide the inmate his/her meals.

(9) Provide each approved inmate with a CDCR Form 3030-B, Religious Diet Card. Collect Religious Diet Cards that are no longer valid.

(10) Meet with inmates, giving them the opportunity to respond to allegation(s) of Religious Diet Program Agreement compliance violations, prior to making a determination of continuing eligibility.

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 383b, 5009 and 5054, Penal Code.

Existing section 3054.4 is renumbered 3054.5 and is unchanged.

3054.45. Monitoring for Religious Diet Program Inmate Compliance.

Any incident of an alleged inmate Religious Diet Program Agreement compliance violation shall be reported using CDC Form 128-B, General Chrono, citing CCR, Title 15, section 3054. All reports shall be sent to the appropriate Chaplain, who shall consult with the inmate, make the final determination of continuing eligibility, and complete a CDCR Form 3030-C (09/05), Religious Diet Program Agreement-Notice of Non-Compliance, which is incorporated by reference. A copy of the completed CDCR Form 3030-C shall be provided to the inmate.

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 5009 and 5054, Penal Code.

Existing section 3054.5 is renumbered 3054.6 and is amended to read:

3054.56. Meals Served to Non-Inmates.

The meal charge for state employees and persons other than official guests in state-operated dining rooms maintained and operated for inmates shall be ~~\$-851.00~~ plus sales tax. The meal charge for institution-operated employee dining rooms shall be in accordance with this article.

Note: Authority cited: Section 5058, Penal Code. Reference: Section 5054, Penal Code.

Existing section 3054.6 is renumbered 3054.7 and is amended to read:

3054.67. Reimbursement for State Purchased Food.

Outside guests attending inmate banquets, luncheons, or other special events where state-purchased food is provided shall be charged a minimum of ~~\$-851.00~~ plus sales tax per meal, per guest. Funds collected in excess of ~~\$-851.00~~ plus sales tax, for the event shall be accompanied by a statement, signed by a non-inmate representative of the group, which reads: "We donate the sum of \$_____ to the Inmate Welfare Fund." If the cost of the meals exceeds the allowance of ~~\$-851.00~~ per meal, an additional charge to the inmate group's trust account shall be made in accordance with this article.

Note: Authority cited: Section 5058, Penal Code. Reference: Section 5054, Penal Code.